IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 26472 of 2007(B)

OS.1704/2005 of PRL.MUNSIFF COURT,THRISSUR

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PETITIONER:

DR.A.AUGUSTIN, S/O ANTONY CRUZ,
ASSOCIATE PROFESSOR, CPBMB, COLLEGE OF HORTICULTURE, KERALA AGRICULTURAL UNIVERSITY, RESIDING AT MOONAMKIZHAKKATHIL, ANCHERRY, THRISSUR.

BY ADV. SMT.SABIENA JAYAN

RESPONDENTS:

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1. **THE STATE OF KERALA,**
   REPRESENTED BY THE CHIEF SECRETARY,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. **MRS.P.CHANDRAMATHI AMMA,**
   AGED ABOUT 56 YEARS, JOINT SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIT, THIRUVANANTHAPURAM.

3. **THE KERALA AGRICULTURAL UNIVERSITY,**
   VELLANIKKARA, TRISSUR, KERALA,
   REPRESENTED BY ITS REGISTRAR.

4. **THE REGISTRAR,**
   KERALA AGRICULTURAL UNIVERSITY,
   VALLANIKKARA, TRISSUR, KERALA.

5. **THE COMPTROLLER,**
   KERALA AGRICULTURAL UNIVERSITY,
   VELLANIKKARA, TRISSUR, KERALA.

BY GOVERNMENT PLEADER SMT. R. BINDU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/09/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

M.N.KRISHNAN, J

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W.P.(C) No.26472 OF 2007

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Dated this the 6th day of September 2007

JUDGMENT

The prayer(b) in the writ petition is for a direction to the Principal Munsiff, Thrissur to restore O.S.No.1704 of 2005 to file and to try the suit on merit. The writ petition is filed challenging the orders passed in I.A.Nos.6363 and 6364 of 2007. The writ petition itself shows that the suit is not pending and this court cannot pass any order in I.A.Nos.6363 and 6364/2007. Most probably the right of the writ petitioner is to take it also as a ground when he resorts to other remedies. Reserving all those rights, this writ petition is dismissed.

M.N.KRISHNAN, JUDGE

Cdp/-